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APPLICANT(S):	Rudi Mueller-Walz		
INT'L. FILING DATE:	October 8, 2004		
INT'L. APPLICATION NUMBER	PCT/IB2004/003465	SERIAL NUMBER:	Not Yet Assigned
ART UNIT:	Not Yet Assigned	EXAMINER:	Not Yet Assigned
FOR:	AEROSOL FORMULATION COMPRISING FORMOTEROL IN SUSPENSION		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-identified application. Accordingly, no fee or certification is believed to be required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the

Applicant(s): R. Mueller-Walz.
Int. Application No.: PCT/IB2004/003465

Attorney Docket No.: 28069-623 NATL

March 31, 2006

information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due to Deposit Account No. **50-0311**, Reference No. **28069-623-NATL**.

Respectfully submitted,

MINTZ, LEVIN, COHN, FERRIS
GLOVSKY & POPEO P.C.

Dated: March 31, 2006



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Date of Deposit: **March 31, 2006**

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PTO/SB (12-97)
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Modified Form 1449/PTO	U.S. Application Number	Not Yet Assigned
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Int. Application Number	PCT/IB2004/003465
	Int. Filing Date	October 8, 2004
	First Named Inventor	Rudi Mueller-Walz
	Group Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	28069-623 NATL

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue/Pub. Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A1	5,709,884	01/20/98	Eva Ann-Christin Trofast et al.	424	489	01/30/95 (§ 371 Date)
	A2	6,054,488	04/25/00	M.J. Oliver et al.	514	646	06/02/98
	A3	6,475,467	11/05/02	M. Keller et al.	424	45	04/20/01 (§ 371 Date)
	A4	US2002/00187 53 A1	02/14/02	F.E. Blondino et al.	424	45	06/19/98
	A5	US2003/01144 28 A1	06/19/03	J.A. Sequeira et al.	514	170	08/28/02

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	No
	B1	EP	1 325 765	Novartis AG	July 9, 2003	X	
	B2	WO	03/074024	Chiesi Farmaceutici S.P.A.	September 12, 2003	X	
	B3	WO	00/48587	Novartis-Erfindungen Verwaltungsgesellschaft M.B.H.	August 24, 2000	X	
	B4	WO	03/086349	3M Innovative Properties Company	October 23, 2003	X	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	GB Search Report dated January 29, 2004 corresponding to GB 0323685.8
	C2	International Search Report mailed April 20, 2005 corresponding to PCT/IB2004/003465

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.